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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,302	08/29/2003	Oliver Frick	13909-069001 / 2002P10094	9021
32864	7590	01/03/2005	EXAMINER	
FISH & RICHARDSON, P.C. 3300 DAIN RAUSCHER PLAZA 60 SOUTH SIXTH STREET MINNEAPOLIS, MN 55402			TWEEL JR, JOHN ALEXANDER	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/651,302

**Applicant(s)**

FRICK ET AL.

**Examiner**

John A. Tweel, Jr.

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/12/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 3, 4, 13, 15, and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the CRM backend system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the CRM backend system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "the CRM backend system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the CRM backend system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "the CRM backend system" in line 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 10, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chung** [U.S. 6,657,543].

For claim 1, the method taught by **Chung** includes the following claimed steps, as noted, 1) the claimed reading a radio frequency identification (RFID) tag is achieved using the smart tag reader (No. 170) using an RFID sensor integrated with an information station (No. 100) that has access to situational information via communication means (CM), 2) the claimed accessing user information is achieved using the processor (No. 150) and memory modules (No. 160) that store visitor information including the memory (No. 214) of the smart tag (No. 200) itself, 3) the claimed generating an interface is achieved using the display (No. 110) which can be a touch screen to present information to the visitor, said display also 4) outputting the interface to the visitor using the station.

For claim 10, the system taught by **Chung** includes the following claimed subject matter, as noted, 1) the claimed information kiosk is met by the information station (No. 100 having a display (No. 110) and having access to situational information and user-specific information (CM), 2) the claimed RFID sensor is met by the smart tag reader

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(No. 170) integrated with the information station and operable to read a tag (No. 200), wherein the information station is operable to identify the user based on the smart tag, and is operable to generate a customized interface (Fig. 3) based on the situational and user-specific information.

For claim 11, the display (No. 110) of **Chung** is a touch screen.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-9 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Chung** in view of **Jones et al** [U.S. 6,804,330].

For claim 2, the method of **Chung** includes the claimed subject matter as discussed in the rejection of claim 1 above. However, there is no mention of communicating with a Customer Relationship Management (CRM) system to obtain a user profile.

The method and system taught by **Jones** is able to access CRM data via voice recognition units. The system allows a business professional to access data from a central repository using mobile devices such as cell phones and PDAs. One obvious advantage of this system is to enable the user to access a wide variety of different data

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types from a telephone, whereby the user could perform ad hoc queries and access user- or company-specific information that has been stored in a database.

One method of advance registration mentioned in the Chung reference is access to a web site on the Internet or with mail-in forms. Phone access to registration information would not only increase the registration options available to the user, it would provide an interface that would be personalized to the specific user or visitor. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include access to a CRM system for the purpose of enabling the user to access a wide variety of data from a wide variety of exhibitions with a common and useful mobile interface.

For claim 3, the initial screen displays of **Chung** present questions to customize the user profile.

For claim 4, the user information of **Chung** is stored during a registration process.

For claim 5, various types of information is accessed and presented in **Chung**, such as data sheets, models, products, and other additional information. Directions and event descriptions are common items to present to visitors and are not considered patentable innovations, as this is well known information.

For claim 6, the method of **Jones** sends a portion of the interface to a mobile device.

For claim 7, one mobile device used in **Jones** is a cell phone.

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For claim 8, one mobile device mentioned in the **Jones** reference is a personal digital assistant.

For claim 9, the interface used in **Jones** utilizes a voice recognition system.

For claim 12, the system of **Chung** includes the claimed subject matter as discussed in the rejection of claim 10 above. However, there is no mention of storing user-specific information in a CRM system.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 2 above.

For claim 13, the central processor (CP) of **Chung** stores user-specific information that is used to profile and interface with specific users.

For claim 14, the initial screen displays of **Chung** present questions to customize the user profile.

For claim 15, the user information of **Chung** is stored during a registration process.

For claim 16, the **Chung** system allows users to register electronically on an Internet web site.

For claim 17, one method of information retrieval in **Jones** uses a phone bank exchange (PBX) switch (No. 64).

For claim 18, the system of **Jones** accesses data using a PBX switch from a central database (No. 12).

For claim 19, the system of **Jones** accesses data using voice recognition software.

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

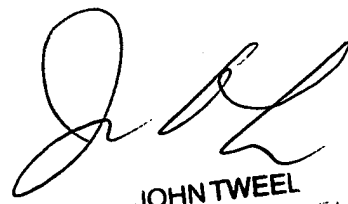
**Coxhead et al** [U.S. 6,366,879] controls performance in an interactive voice response system.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 571 272 2969. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 571 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAT  
12/26/04



JOHN TWEEL  
PRIMARY EXAMINER